

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Maureen Duffy-Lewis

MICHAEL N. FEUER, City Attorney, SBN 111529
ARTURO A. MARTINEZ, SBN 180355
Deputy Chief, Safe Neighborhoods & Gang Div,
JONATHAN CRISTALL, SBN 191935
Supervising Assistant City Attorney
LIRA FORMAN-ECHOLS, SBN 184135
Assistant Supervising Deputy City Attorney
JEANNE KIM, Deputy City Attorney, SBN 173795
200 N. Main Street, Suite 966, Los Angeles, California 90012
Telephone: (213) 978-4090 / Fax: (213) 978-8717
E-Mail: jeanne.kim@lacity.org

Attorneys for Plaintiff

NO FEE – GOV'T CODE § 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

MICHELLE LAVETTE WRIGHT aka MICHELLE
WRIGHT aka MICHELLE WRIGHT LEWIS aka
MICHELLE WRIGHTLEWIS, an individual; and
DOES 1 through 50, inclusive,

Defendants.

Case No.:

**COMPLAINT FOR ABATEMENT
AND INJUNCTION**

[HEALTH & SAFETY CODE SECTION
11570 *ET SEQ.*]

(Unlimited Action)

PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

I. INTRODUCTION

1. This action ("Action") is brought and prosecuted by Plaintiff, the People of the State of California ("Plaintiff or "People"), for the purpose of abating and enjoining a long-standing narcotics-related public nuisance that exists at a single family residence located at 10329 S. Anzac Ave., Los Angeles, California 90002 ("Property"). The Action is brought pursuant to the Narcotics Abatement Law ("NAL"), California Health and Safety Code section 11570 *et seq.*

1 2. The Property, located on a residential street in the Watts neighborhood of South
2 Los Angeles, is comprised of a single-story, three-bedroom house and a detached garage, and
3 is within 345 feet of Griffith Joyner Elementary School and 739 feet away from the 102nd Street
4 Early Education Center.

5 3. For well over a decade, the Property has been a busy drug house where
6 phencyclidine ("PCP"), methamphetamine, and rock cocaine are sold on an open and
7 continuous basis to drug users and buyers who walk, bike and drive up to the Property. In
8 response to ongoing complaints of narcotics activity at the Property, the Los Angeles Police
9 Department ("LAPD") has conducted numerous investigations there, resulting in the service of
10 five search warrants, 24 narcotics-related arrests, and responding to a violent PCP-related
11 suicide at the Property. Further, in 2008, the U.S. Attorney's Office brought an asset forfeiture
12 action against the Property based on the narcotics activity occurring there, as further detailed
13 below. Notwithstanding law enforcement's efforts to eliminate and/or suppress the narcotics
14 activity, the enduring drug sales and drug use at the Property continues, and will undoubtedly
15 continue, unless there is closure of the Property, as authorized by Health and Safety Code
16 section 11581.

17 4. Since at least 2005, at one time or another, the Property has been been
18 occupied by Defendant Wright's drug-dealing and drug-using family members¹ and their
19 friends, including but not limited to:

- 20 • Charles Ocie Wright Sr., Defendant Wright's father and the property owner until
21 the 2008 forfeiture action, currently 78 years old, who was arrested two times for
22 possession of PCP for sale at the Property;
- 23 • Raymond Wright, a family member recently deceased at age 45 and career
24 criminal, who had been arrested four times for possessing PCP for sale and/or
25 selling PCP at the Property. He had been a long-time documented Grape Street

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28 ¹ Familial relationships between individuals are asserted herein based on information and belief.

1 Crips criminal street gang² member known by the moniker "Baby Loc";

- 2 • Celestine Wilbert, a friend, age 45, who was recently arrested for selling PCP at
- 3 the Property;
- 4 • Charles Wright Jr., Defendant Wright's brother, age 50, who was recently
- 5 arrested for a narcotics-related warrant at the Property; and
- 6 • Gary Porter, a friend, age 68, and career criminal, who was recently arrested for
- 7 a warrant at the Property.

8 5. The rampant narcotics activity at the Property between 2005 and 2008 drew the
9 attention of federal prosecutors who, in June of 2008, initiated an *in rem* civil forfeiture action,
10 pursuant to United States Code section 881(a)(7), against the Property in *U.S. v. Real*
11 *Property Located in Los Angeles, California (Charles Ocie Wright)* (Case No. CV 08-03588-
12 CAS-RZ). The forfeiture action was based upon 11 narcotics arrests, including Charles Wright
13 Sr. and Raymond Wright, and two search warrants executed at the Property, which netted
14 large quantities of PCP, over 100 empty glass vials used to package PCP for sale, a dropper
15 used to fill vials with PCP and lace PCP into cigarettes, and a large quantity of rock cocaine.
16 During one of the search warrants, LAPD officers observed that the front door of the house
17 was heavily fortified with metal rods to slow down entry by law enforcement.

18 6. On April 27, 2009, the civil forfeiture action was resolved by Settlement
19 Agreement; federal prosecutors allowed then property owner Charles Wright Sr. to avoid
20 forfeiture by transferring ownership of his Property to his daughter, Defendant Wright. It also
21 required both Charles Wright Sr. and Defendant Wright (1) to abate the narcotics activity at the
22 Property, by excluding from and/or refusing residence at the Property to any person using or
23 selling illegal narcotics, or having been arrested and/or convicted of a narcotics-related
24 offense, including but not limited to Raymond Wright, and (2) to immediately notify LAPD if any
25 possession, sale or use of narcotics occurred at the Property and cooperate in any law
26 enforcement investigation. Despite this opportunity to retain the Property, Defendant Wright

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28 ² The Grape Street Crips criminal street gang controls the narcotics trade in the surrounding area where the
Property is located.

1 allowed her father Charles Wright Sr., Raymond Wright, other family members, and their
2 friends to continue operating the Property as a hub for narcotics sales which again continued
3 to generate numerous complaints, investigations, arrests and search warrants.

4 7. More documented narcotics activity began in June of 2011, when Raymond
5 Wright was arrested at the Property for possession of PCP for sale. In July of 2014, LAPD
6 arrested two individuals who separately purchased PCP at the Property and conducted a
7 controlled-buy investigation at the Property during which an informant purchased two vials of
8 PCP from Raymond Wright. LAPD also executed a search warrant at the Property, where
9 officer recovered multiple bottles and vials containing large quantities of PCP and again
10 arrested Raymond Wright for selling PCP. Officers also observed that Charles Wright was
11 present at the Property during the search warrant.

12 8. Law enforcement resumed their investigation at the Property in June of 2018,
13 when LAPD officers arrested two individuals who had separately purchased narcotics from
14 Raymond Wright at the Property. LAPD also served another search warrant at the Property,
15 during which they recovered eight bottles and jars containing large amounts of PCP,
16 approximately 35 vials of PCP, and two bindles of methamphetamine. During the search
17 warrant, officers arrested Raymond Wright for sales of PCP, and Charles Wright Jr. and Gary
18 Porter for outstanding warrants.

19 9. On August 4, 2018, Raymond Wright took a stolen .38 caliber revolver and fatally
20 shot himself in the head after smoking PCP at the Property. Charles Wright Sr. and Celestine
21 Wilbert were among those at the Property at the time of the suicide. Charles Wright Sr. initially
22 hid the stolen revolver in the house, and later admitted that he hid the firearm and directed
23 investigators to a kitchen cupboard where they recovered the revolver, which was loaded with
24 five live rounds and one expended shell casing. The revolver had been reported stolen in
25 1997 by the Los Angeles Sheriff's Department.

26 10. The violent suicide death of a family member did not stop drug sales at the
27 Property. In January of 2019, LAPD investigated and arrested three individuals who
28 separately walked up to the Property and bought PCP from Celestine Wilbert. LAPD again

1 obtained a warrant to search the Property. Searching officers recovered eight vials of PCP,
2 droppers with PCP residue, rock cocaine, and an illegally possessed 12-gauge blue steel
3 pump action shotgun. Celestine Wilbert was arrested for sales of PCP, and was found with
4 \$205 and four small plastic bags containing rock cocaine on her person.

5 11. Defendant Wright is the current owner of the Property, and has been since 2008,
6 and appears neither to have lived nor been arrested there. Defendant Wright, however, has
7 been aware of the ongoing narcotics activity at the Property since at least 2008, yet has
8 allowed drug dealing and drug using family members and their friends to continue to have
9 access to and/or to reside at the Property and sell narcotics. Defendant Wright is responsible
10 under California law for maintaining and managing her Property so as not to be the drug house
11 that it is. She has been either unwilling or unable to do so, notwithstanding her obligations
12 under the Settlement Agreement in the civil forfeiture action with which she has utterly failed to
13 comply.

14 12. This Action is intended to bring Defendant Wright's flagrant disregard for the law
15 and the forfeiture settlement agreement, and the unacceptable state of affairs at the Property
16 to a halt. To do so, Plaintiff seeks all available remedies provided by law, including without
17 limitation, the closure of the Property for one year. The surrounding community cannot be
18 expected to perpetually endure this ongoing narcotics activity and the stream of drug users
19 drawn to the Property to buy narcotics.

20 II. THE PARTIES AND THE PROPERTY

21 A. Plaintiff

22 13. Plaintiff, the People, is the sovereign power of the State of California designated
23 in Health and Safety Code section 11571 to be the complaining party in public law
24 enforcement actions brought to abate, enjoin and penalize public narcotics nuisances.

25 B. The Defendant

26 14. Defendant Wright, age 49, is the current owner of the Property and has been the
27 record owner since at least November 5, 2008, when she took title to help her father, Charles
28 Wright Sr., avoid forfeiture of the Property. Defendant Wright resides within eight miles of the

1 Property, in the neighboring City of Carson. The property taxes for the Property are in
2 Defendant Wright's name, while the utility bill is, and has been since 1995, in the name of
3 Charles Wright.

4 15. The true names and capacities of defendants sued herein as Does 1 through 50,
5 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious
6 names. When the true names and capacities of said defendants have been ascertained,
7 Plaintiff will ask leave of the Court to amend this Complaint and to insert in lieu of such
8 fictitious names the true names and capacities of said fictitiously named defendants.

9 **C. The Property**

10 16. The Property is located at 10329 Anzac Ave., Los Angeles, California 90002, and
11 is comprised of a single family residence and a detached garage.³ An open alley runs
12 immediately behind the Property in a north-south direction.

13 **III. THE NARCOTICS ABATEMENT LAW**

14 17. The abatement of nuisances is a long-established and well-recognized exercise
15 of the state's police power. (*People ex rel. Bradford v. Barbieri* (1917) 33 Cal.App. 770, 775;
16 *People ex rel. Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in
17 1972, the principal purpose of the NAL (Health & Saf. Code, § 11570 et seq.) is the abatement
18 of buildings and places "used for the purpose of unlawfully selling, serving, storing, keeping,
19 manufacturing, or giving away any controlled substance, precursor, or analog specified in this
20 division" (Health & Saf. Code, § 11570).

21 18. The NAL provides that every building or place used for the purpose of unlawfully
22 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,
23 precursor, or analog *inter alia*, "is a nuisance which **shall** be enjoined, abated, and
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28 ³ The Property's legal description is "Lots 56 and 57 of the Forthmann Tract, in the City of Los Angeles, in the
County of Los Angeles, State of California, as per map recorded in Book 7, page 158-159 of Maps, in the Office of
the County Recorder of said County," with Assessor's Parcel Number 6066-001-036.

1 prevented . . . whether it is a public or private nuisance.” (Health & Saf. Code, § 11570
2 [emphasis added]; *People ex rel. Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v.*
3 *Superior Court* (1993) 20 Cal.App.4th 866, 870-871.)

4 19. Health and Safety Code section 11571 authorizes a city attorney to bring an
5 action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part:
6 “Whenever there is reason to believe that a nuisance as described in Section 11570 is kept,
7 maintained, or exists in any county, the district attorney of the county, or the city attorney of
8 any incorporated city or of any city and county, in the name of the people, may . . . maintain an
9 action to abate and prevent the nuisance and perpetually to enjoin the person conducting or
10 maintaining it, and the owner, lessee, or agent of the building or place in or upon which the
11 nuisance exists from directly or indirectly maintaining or permitting the nuisance.”

12 20. Health and Safety Code section 11573(a) provides that: “If the existence of the
13 nuisance is shown in the action to the satisfaction of the court or judge, either by verified
14 complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction
15 to abate and prevent the continuance or recurrence of the nuisance.” (Emphasis added.) In
16 addition, Health and Safety Code section 11581 provides, as an additional remedy, for the
17 removal and sale of all fixtures and movable property on the premises used in aiding or
18 abetting the nuisance and for the closure of the building for up to one year.

19 **IV. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

20 **[Health and Safety Code Section 11570 et seq. --**

21 **Against Defendant Wright and Does 1 through 50]**

22 21. Plaintiff hereby incorporates by reference paragraphs 1 through 20 of this
23 Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

24 22. Since at least 2005, the Property has been, and is currently being, used for the
25 purposes of unlawfully selling, serving, storing, keeping, manufacturing or giving away
26 controlled substances in violation of Health and Safety Code section 11570 et seq. The
27 general reputation of the Property in the community and amongst law enforcement is that it is
28 a location where the sale of PCP, rock cocaine, methamphetamine and other controlled

1 substances takes place on an open and regular basis by residents and/or other drug dealers.
2 Moreover, the Property has been, and continues to be, used to store, package, and sell
3 narcotics at and from within the Property to drug users and buyers who are drawn there
4 specifically to purchase and use narcotics.

5 23. Defendant Wright and Does 1 through 50 are responsible for conducting,
6 maintaining, and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has
7 no plain, speedy and adequate remedy at law and unless Defendant Wright and Does 1
8 through 50 are restrained and enjoined by order of this Court, they will continue to use, occupy
9 and maintain, and/or to aid, abet or permit, directly or indirectly, the use, occupation and
10 maintenance of the Property, together with the fixtures and appurtenances located therein, for
11 the nuisance complained of herein, to the great and irreparable damage of the public and in
12 violation of California law.

13 **PRAYER**

14 **WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND**
15 **DECREE AS FOLLOWS:**

16 **AS TO THE FIRST CAUSE OF ACTION:**

17 1. That Defendant Wright, Does 1 through 50, and the Property be declared in
18 violation of Health and Safety Code section 11570 *et seq.*

19 2. That the Property, together with the fixtures and moveable property therein and
20 thereon, be found to constitute a public nuisance and be permanently abated as such in
21 accordance with Section 11581 of the California Health and Safety Code.

22 3. That the Court grant a preliminary injunction, permanent injunction and order of
23 abatement in accordance with Section 11570 *et seq.* of the California Health and Safety Code,
24 enjoining and restraining Defendant Wright, Does 1 through 50, and their agents, officers,
25 employees and anyone acting on their behalf, from unlawfully selling, serving, storing, keeping,
26 manufacturing, or giving away controlled substances on the Property, and/or directly or
27 indirectly maintaining or permitting such nuisance activity.

28 4. That an Order of Abatement be issued requiring the Property be vacated and

1 closed for a period of one year, not to be used for any purpose, and be under the control and
2 custody of this Court for said period of time. The Property has been the site for the storage,
3 packaging, use, sales, and possibly manufacturing of PCP, a powerful hallucinogen
4 synthetically derived from ingredients such as cyanide, a deadly poison, which is combined
5 with highly toxic and flammable chemicals⁴ that are used otherwise to make plastics, paint
6 remover, motor fuels, and other similar products. PCP emits a strong and distinctive chemical
7 odor and the residue of the toxic substances in PCP can be embedded in the location where it
8 is manufactured, stored or packaged. PCP takes form in a liquid, tablet, or capsule when sold
9 on the streets, and can be swallowed, smoked, injected, snorted, and *is readily soluble and will*
10 *cross the skin barrier if liquid PCP is spilled on skin or clothing.* Accordingly, the Order of
11 Abatement should also prohibit any and all occupation of the Property until the Property is
12 tested for contamination, and thoroughly rehabilitated and remediated, as further detailed
13 below, and the Property is determined not to be contaminated by a certified decontamination
14 specialist.

15 5. That the Court grant a preliminary and/or permanent injunction requiring, upon
16 the expiration of the one-year closure, Defendant Wright to either demolish the Property or
17 have it tested for PCP contamination and if contaminated, to have it thoroughly
18 remediated/decontaminated, as follows:

- 19 a. Defendant Wright and Does 1 through 50 shall either have the Property tested for
20 contaminants or demolish all structures on the Property within 90 days after the
21 expiration of the one-year closure. The testing shall be completed by the hiring of
22 a hazardous waste testing technician, who is certified, licensed and/or permitted
23 by state and federal regulatory agencies, including the State of California
24 Department of Toxic Substances Control, to test the Property. If demolition is
25 chosen by Defendant Wright but is not timely completed by a contractor hired by
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28 ⁴ In general terms, PCP is a Schedule II narcotic manufactured by mixing dangerous chemicals, including sodium cyanide, anhydrous ether, petroleum ether, bromobenzene, magnesium turnings, iodine, cyclohexanone, sodium metabisulfite, sodium bisulfite, hydrochloric acid, pyridine, ruthenium, rhodium, and piperidine.

1 Defendant Wright, demolition may be accomplished by a representative from the
2 Los Angeles Department of Building and Safety ("LADBS") and/or its contractor.
3 A lien shall be placed on the Property to recover all costs and administrative fees
4 connected with the demolition by LADBS and/or its contractor, pursuant to Los
5 Angeles Municipal Code section 91.8903.3. A copy of the court order, including
6 preliminary and/or permanent injunction, shall be provided to the demolition
7 contractor.

- 8 b. Should the hazardous waste testing technician report that the Property is
9 contaminated and/or that hazardous chemical residue is present at the Property,
10 Defendant Wright shall either have the Property decontaminated/remediated or
11 demolished within 180 days after expiration of the one-year closure.
12 Remediation shall be completed by the hiring of a hazardous waste clean-up
13 technician, who is certified, licensed and/or permitted by state and federal
14 regulatory agencies, including the State of California Department of Toxic
15 Substances Control, to thoroughly remediate and decontaminate the Property.
16 Should Defendant Wright elect to demolish the Property, a copy of the court
17 order, including preliminary and/or permanent injunction, shall be provided to the
18 contractor hired. If demolition is not timely completed by Defendant Wright,
19 demolition may be accomplished by a representative from the Los Angeles
20 Department of Building and Safety ("LADBS") and/or its contractor. A lien shall
21 be placed on the Property to recover all costs and administrative fees connected
22 with the demolition by LADBS and/or its contractor, pursuant to Los Angeles
23 Municipal Code section 91.8903.3.

24 6. That the Court order physical and managerial improvements to the Property in
25 accordance with Health and Safety Code section 11573.5, and such orders as are otherwise
26 appropriate, to remedy the nuisance on the Property and enhance the abatement process,
27 including but not limited to, the following: the hiring and retention of a property management
28 company; improved lighting; sufficiently secure gating and fencing; a prohibition on the

1 presence of Charles Wright Sr., Celestine Wilbert, Charles Wright Jr., and Gary Porter at the
2 Property or within 1,000 feet of the Property at any time, for any reason; prohibiting known
3 narcotics users and dealers from accessing the Property; and strict limitations on who else
4 may be present on the Property at all times.

5 7. That Defendant Wright and Does 1 through 50 each be assessed a civil penalty
6 in an amount not to exceed twenty-five thousand dollars (\$25,000.00).

7 8. That all fixtures and moveable property used in conducting, maintaining, aiding or
8 abetting the nuisance at the Property be removed by the LAPD and sold in the manner
9 provided for the sale of chattels under execution. Said fixtures and property shall be
10 inventoried and a list prepared and filed with this court.

11 9. That there shall be excepted from said sale, such property to which title is
12 established in some third party not a defendant, nor agent, officer, employee or servant of any
13 defendant in this proceeding.

14 10. That the proceeds from said sale be deposited with this Court for payment of the
15 fees and costs of sale. Such costs may occur in closing said Property and keeping it closed,
16 removal of said Property, and Plaintiff's costs in the Action, including attorneys' fees, and such
17 other costs as the Court shall deem property.

18 11. That if the proceeds of the sale do not fully discharge all such costs, fees and
19 allowances, the Property shall also be sold under execution issued upon the order of the Court
20 or judge and the proceeds of such sale shall be applied in a like manner. That any excess
21 monies remaining after payment of approved costs shall be delivered to the owner of said
22 Property. Ownership shall be established to the satisfaction of this Court.

23 12. That Defendant Wright, Does 1 through 50, and any agents, trustees, officers,
24 employees and anyone acting on their behalf, and their heirs and assignees, be perpetually
25 enjoined from transferring, conveying, or encumbering any portion of the Property, for
26 consideration or otherwise, without first obtaining the Court's prior approval.

27 13. That Defendant Wright and Does 1 through 50 be ordered to immediately notify
28 any transferees, purchasers, commercial lessees, or other successors in interest to the subject

1 Property of the existence and application of any temporary restraining order, preliminary
2 injunction, or permanent injunction to all prospective transferees, purchasers, commercial
3 lessees, or other successors in interest, *before* entering into any agreement to sell, lease or
4 transfer the Property, for consideration or otherwise, all or any portion of the Property that is
5 the subject of this Action.

6 14. That Defendant Wright and Does 1 through 50 be ordered to immediately give a
7 complete, legible copy of any temporary restraining order and preliminary and permanent
8 injunctions to all prospective transferees, purchasers, lessees, or other successors in interest
9 to the Property.

10 15. That Defendant Wright and Does 1 through 50 be ordered to immediately request
11 and procure signatures from all prospective transferees, purchasers, lessees, or other
12 successors in interest to the subject Property, which acknowledges his/her respective receipt
13 of a complete, legible copy of any temporary restraining order, preliminary and permanent
14 injunction, and deliver a copy of such acknowledgment to the Los Angeles City Attorney's
15 Office, c/o Deputy City Attorney Jeanne Kim or her designee.

16 16. That Plaintiff recover the costs of this Action, including law enforcement
17 investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed
18 \$1,000,000.00, from Defendant Wright and Does 1 through 50.

19 17. That Plaintiff recover the amount of the filing fees and the amount of the fee for
20 the service of process or notices which would have been paid but for Government Code
21 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the
22 amount of the fees for certifying and preparing transcripts.

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2 18. That Plaintiff be granted such other and further relief as the Court deems just and
3 proper.

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5 DATED: March 28, 2019

Respectfully submitted,
MICHAEL N. FEUER, City Attorney
JONATHAN CRISTALL, Assistant City Attorney

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8
9 By: 

JEANNE KIM
Deputy City Attorney
Attorneys for Plaintiff, THE PEOPLE OF THE STATE
OF CALIFORNIA